Meeting Date: October 15, 2019

Staff: Melanie Erickson, Planning Technician

Subject: S05-19 McDonald's Corporation (Owners) C-1 Zoning: Request for a Sign Permit to replace and add new signage including new illuminated signs and directional signs for the McDonald’s restaurant located at 3459 Mt. Diablo Blvd., APN 243-231-024.

Statutory Deadline: November 16, 2019 (without PSA extension)

Summary
Pursuant to the City of Lafayette’s General Commercial District 1 zoning, section 6-995 any alterations to the exterior of the building located within the C-1 zone must be consistent with design review requirements. Staff has reviewed the project against the City of Lafayette’s sign ordinance for consistency and recommends that the Design Review Commission hold a public hearing and approves the project subject to conditions.

Background
On December 2, 1993 the Planning Commission reviewed and approved a land use permit (L6-93) to allow a fast food service restaurant, McDonald’s, and to reduce the required number of parking stalls. A sign permit was also reviewed and approved (S15-93) which granted variances allowing for the installation of 8 free-standing signs, instead of one and to increase the maximum amount of signage from 100 sq. ft. to 182 sq. ft.

In 2005 the applicant requested a Design Review Permit for improvements to the building, including changing the colors and materials (DR12-05). A sign permit was also submitted to staff but, was later withdrawn by the applicant (S12-05).

On March 1, 2019 an application for a design review permit was submitted to the City of Lafayette to remodel the interior and exterior of the existing McDonald’s building including, changes to the colors and materials, increase the height of the building and compliance with the American Disability Act (ADA) accessibility requirements. On July 22, 2019 the Design Review Commission reviewed the project and adopted resolution 2019-18, approving the application subject to conditions (Attachment D). Changes to signage were not included in the scope of work except changes to the menu and ordering board for the drive thru.

The applicant is now requesting a sign permit as part of a comprehensive change to the exterior of the McDonald’s building. The request is to replace some of the signage, remove one of the signs at the north elevation and add new signage.
TRIGGERS FOR REVIEW

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Site Conditions and Location
The property is located at the corner of Mt. Diablo Boulevard and Second Street in the C-1 zoning district. The parcel is also within the Plaza District as outlined in the Downtown Specific Plan (DSP). The business can be accessed off Mt. Diablo Blvd. and Golden Gate Way, with an additional egress, for the drive-through on Mt. Diablo Blvd. The building is located at the south end of the Plaza District, adjacent to the East End District, making it one of the identifiable transition buildings between the Plaza and East End districts. The parking lot is along the west elevation and continues to the south elevation, creating an open ended parking lot with ingress and egress off Mt. Diablo Blvd. and Golden Gate Way. The primary entrance to the building is on the building west elevation where a portion of the parking lot is located. A secondary entrance is located off Mt. Diablo Blvd at the north elevation.

Proposal
Almost a decade from the last remodel the applicant is requesting to update the existing McDonald’s building by making interior and exterior changes to the building. A design review permit (DR06-19) has already been reviewed and approved by the Design Review Commission to make exterior modifications to the building and now McDonald’s would like to make changes to their signage. Changes include replacement, removal and the addition of signage. At the north elevation the applicant proposes to remove the “McDonald’s” sign, relocate and increase the size of the “wall arch” (as indicated on the plans) and add “playplace”. At the west elevation a new “wall arch” will be added over the front entrance. The two “wall arches” will be 60” in size and made from molded acrylic, pigmented yellow (PMS 123C). The wall arches will be mounted on brackets connected to the building and will be internally illuminated. The letters on “playplace” will be two different colors; “play” will be a white acrylic while “place” will be white acrylic with 3630-25 sunflower vinyl applied to the top of it. The “playplace” sign will also be internally illuminated. Two different font sizes will be used for “playplace” as well. The letters for “play” will use a wider font size than the letters for “place”. An existing 40 sq. ft. monument sign at the front of the property is proposed to remain.

At the east elevation a new 60” wall arch will be added above the entrance to the building. Directional signage is proposed for the south and east elevation. The south elevation signage includes two “order here” canopies and a single arm gateway while the east elevation will add “pay here” at one window and “pick up” at the other.
**General Plan and Zoning**

The General Plan Designation for the property is Plaza and the Zoning is General Commercial District 1, which allows fast food with drive-thru. The project will result in modernizing and updating an existing McDonald’s restaurant which is consistent with the uses prescribed for the subject property.

**Staff Analysis**

The maximum amount of signage a building is allowed to have is determined by the linear feet of the principal business frontage; however a previously approved application increased the maximum amount of signage permitted for McDonald’s.

Per the City of Lafayette’s sign ordinance, section 6-2560, “Maximum area for business signs”, the total amount of signage a business is allowed to have is determined by the linear feet of the principal business frontage. If a business is determined to have two business frontages the signage may be distributed between the two frontages per section 6-2560 subsection (b) (2):

> “when the principal business frontage are on adjacent sides of the building, only the frontage may be used for a principal frontage calculation, but the sign allowance may be distributed in any manner on the two sides.”

Staff has determined that McDonald’s has two principal business frontages, the west elevation and north elevation. The west elevation faces the parking lot and is used as the main entrance into the building; it is also visible from Mt. Diablo Blvd. and faces public space. The north elevation can also be considered a principal business frontage since it faces Mt. Diablo Blvd, a public street, and also has an entrance. The west elevation is the building’s longest side at 68’-3” which, per the, “maximum allowed signage for a principal business frontage” table, allows for a total of 98 sq. ft. of signage (Attachment F). The total amount of signage the applicant is proposing comes to 120.64 sq. ft., including the existing two-sided monument sign. It does not include the drive-thru signage which is considered a safety and directional sign and will only be visible on site. Per Section 6-2560 of the City’s sign ordinance, McDonald’s is allowed to have a total of 98 sq. ft. of signage.

The applicant is proposing to exceed the allowed amount by 22.64 sq. ft. with a total of 120.64 sq. ft.; however a previously approved sign application (S15-93) granted McDonald’s variances to allow more than one-freestanding sign and to increase the total amount of signage from 100 sq. ft. to 182 sq. ft. At 120.64 sq. ft. the applicant is under the previously permitted amount of signage. The applicant is proposing 3 wall signs and to maintain the existing monument sign, thereby minimizing number of signs and remaining consistent with the sign findings. The applicant is proposing to have two signs at the north elevation and one at the west elevation, with directional signs placed at the east and south elevations. The simplistic design of the signs is also consistent with the findings. Two of the proposed signs, on the principal business frontages, are the company’s logo while only one sign will say “playplace”, limiting the use of words. At the south and east elevations the signage will be identification signs indicating to drive-thru customers where to order, pay, and pick up, which is consistent with the findings. The sign regulations indicate signs should be mostly simple graphics with limited words. This application is consistent with those design criteria as there are two wall signs which consist solely of the company logo, limiting wording to “playplace” in addition to the safety and directional signs. The signs at the east and south elevations will also only be visible on the property since existing screening and their size reduces their visibility from off-site. The proposed signage is also designed to be compatible with the new design of the building, in that the proposed signs will not conflict with the architectural lines of the building. The signs on the two principal business frontages are proposed to be in either yellow or white and illuminated. Using only two colors will minimize the use of multiple colors that may
have the potential to be incompatible. All sources of illumination will be internal to the sign with the source of illumination screened from public views.

Based on the analysis above and the finding below, staff is able to support the project and recommends that the Design Review Commission approve the project subject to conditions.

**Design Criteria**

As required by Section 6-2526 of the Lafayette Municipal Code, the Design Review Commission shall apply the following design criteria in reviewing each sign application:

1. **Architectural Compatibility.** The sign shall be compatible in size, character and quality of design with the exterior architecture of the premises and other structures in the immediate area; in that the proposed signage is designed to complement the new exterior design of the restaurant. Like the new architectural design of the building the proposed signage is simplistic, minimizing the amount of words that will be used and using graphic designs.

2. **Simplicity.** To the extent feasible, the sign should be graphic and with limited use of words, with the design emphasis on simplicity of style. A simple design or abstract graphic design is preferred. Similarly, a simple sign frame and supporting structure is preferred; in that the applicant proposes to place the McDonald’s graphic logo at each principal business frontage and only have the word “playplace” at the north elevation, limiting the use of words on the building. Using the company’s logo also emphasis the simplistic style of the design. The proposed directional signage at the east and south elevation will use words; however, their small size and location will only make them visible on site.

3. **Identification.** A commercial sign should be designed for the primary purpose of identifying a business or office; in that the proposed signs primary purpose is to identify the building. The two “wall arches” is the company’s signature logo that identifies the building as a McDonald’s restaurant. The signs at the south and east elevations are directional signs identifying where drive-thru customer can order, pay and pick up.

4. **Fewer Signs.** In the use of the total sign allowance at a particular premise, the use of a minimum number of signs is preferred to the use of many signs so that a cluttered effect is avoided; in that the proposal is reducing the amount of signage the restaurant currently has by only proposing to have three signs between the two principal business frontages. Though the proposed signage is over their maximum sign allowance per the Sign Ordinance, the amount of signage is complying with the total amount of signage allowed for the site (182 sq. ft.) as approved by application S15-93.

5. **Shape, Size and Orientation.** The shape of a sign should not conflict with the architectural lines of its setting. Signs should be directed toward the passing motorist and the pedestrian. No sign should be designed to be readable from the freeway or to attract motorists from a great distance; in that the size of the proposed signs and location of the existing building will not make the signs readable from the freeway or attract motorists from a great distance. The existing restaurant is located away from the freeway, ensuring that no motorist on the freeway will see their signs. The size of the proposed signs size will make the signs noticeable, at a close distance, on Mt. Diablo Blvd. but, will not be able to be seen at a great distance since the highest sign will only be 5’ tall. The “wall arches” are also located on either principal business frontage, directed towards passing motorists and pedestrians.

6. **Illumination and Colors.** A sign must not overpower its surroundings through hue, saturation and brilliance or close combination of incompatible colors. Sources of illumination should be screened
from public view and should be designed to avoid glare onto a street or adjacent property; in that the applicant is proposing to use only two colors for the signs at the north and west elevation, yellow and white. The use of the two colors will make the signs noticeable to the public against the dark, natural color of the building. Though the applicant proposes using bright colors the signs are small in scale to the overall building that they will not overpower its surrounding. All three principal business frontage signs are proposed to be illuminated; however, they will all be internally illuminated with their source of illumination screened from the public.

7. **Landscaping.** A sign should be placed with consideration for existing and future growth of trees and other landscaping. A freestanding sign must be placed in a landscape area or planter, with landscaping maintained in a thriving manner; in that there are already existing mature trees around the property that will remain. The proposed signage will not affect the growth of the existing trees.

8. **Compatibility with Adjacent Uses.** The design and location of a sign should not impair the visibility or the design of existing conforming signs; in that all existing signs on the building will either be removed or replaced with the proposed signage. The only existing sign proposed to remain is the monument sign. The proposed signage will be on the façade of the building and will not impair the visibility of the existing monument sign.

**Environmental Review**
The project was evaluated in accordance with the California Environmental Quality Act (“CEQA”) and determined to be categorically exempt under Class 2: Replacement or Reconstruction- Section 15302, as the project consists of an interior and exterior remodel to an existing McDonald’s restaurant.

**Public Comment, Outreach, and Notice**
Property owners within a 300-foot radius of the subject property were mailed a notice of public hearing, and the immediate area was posted at least ten days prior to the scheduled public hearing. No public comment has been received for inclusion of this report.

**Agency Response**
The project plans were referred to the Contra Costa County Building Inspection Department (“CCCBID”). At the time of preparation of this staff report one comment was received and is attached to this report as Attachment G.

Staff recommends the Commission review the application, conduct a public hearing, and approve application S05-19, finding the project exempt from CEQA and approving the project, subject to conditions.

**Attachments**

A. Exhibit “A” Conditions of Approval  
B. Maps and Aerial Photos  
C. Applicant’s response to findings  
D. Draft minutes and staff report of the July 22, 2019 Design Review Commission meeting  
E. Approval letter and conditions of S15-93, dated: November 17, 1993  
F. Sign Ordinance: Business Frontage Table  
G. Contra Costa Building Inspection referral comment  
H. Sign Plans: dated September 24, 2019
## Conditions of Approval • S05-19 McDonald’s Corporation

*Project specific conditions of approval are shaded*

### Ongoing Conditions

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| 1. | **Development shall conform to the following approved plans, on file at the City Offices, as modified by these conditions.**  
- Site plans, elevations, & details received September 24, 2019 |
| 2. | Pursuant to §6-250 of the Lafayette Municipal Code, this approval shall expire one year from the approval date, October 15, 2020 unless a building permit has been issued for the project. The Planning & Building Department Director may extend the period to exercise the permit for up to one additional year, October 15, 2021 upon a showing of good cause, if such request is received in writing prior to the expiration date. |
| 3. | No changes shall be made to the approved plans or color and materials board without review and approval by the Planning & Building Department and/or appropriate commissions as determined by the Planning & Building Department Director. If changes are approved by the City, the property owner shall prepare three sets of revised plans for review and approval by the Planning & Building Department. Once the revised plans are stamped “approved”, the property owner shall submit the revised plans to the Lamorinda Building Inspection Office for their review and approval. |
| 4. | **Construction plans shall conform to the approved design drawings. The property owner shall indicate to staff at the time of submittal for building permit plan check, any and all modifications, clarifications, or changes on the construction drawings from the approved design drawings.** |
| 5. | **Storage of construction materials, portable toilets and debris must be stored and staged on the subject property for this project. Temporary storage of construction boxes or construction materials must be kept on the property and out of any private easement or public right-of-way to permit emergency vehicle access during the construction project.** |
| 6. | **Site improvement and construction work, including set-up, loading or unloading of materials or equipment, or the maintenance, refueling or tune-up of any equipment, performed as part of this project is restricted to the hours between 8:00 a.m. and 6:00 p.m., Monday through Saturday. No noise-generating construction work shall be performed on Sundays or national holidays. Violation of this condition may result in issuance of a Stop Work Order or administrative citations.** |
| 7. | The property owner shall defend, indemnify and hold harmless the City of Lafayette, its agents, officers, officials, and employees from all claims, demands, law suits, writs of mandamus, and other actions or proceedings (collectively |
8. These conditions of Project Approval include certain fees, dedication requirements, reservation requirements, and other exactions. Under Government Code Section 66020(d)(1), these conditions constitute written notice of a statement of the amount of such fees and a description of the dedication, reservations, and other exactions which are imposed upon you. Under Government Code Sections 66020(a) & (d)(1), there is a 90-day period within which you may file and administrative protest of these fees, dedications, reservations, and other exactions. This 90-day period begins with the approval of the project. If you fail to file a protest with the City Clerk within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exaction.

9. If the Planning & Building Department, either independently or as a result of complaints from the public, becomes aware that these conditions of approval are being violated, and Planning & Building Department staff is unable to obtain compliance or abatement, the City may issue a Stop Work Order and/or pursue administrative remedies pursuant to chapters 1-3 and 1-9 of the Lafayette Municipal Code. Administrative citations and fines may be issued for each day a violation occurs.

10. The property owner shall duplicate these conditions of approval set forth in this document “Exhibit A” in the construction drawing plan sets for the benefit of the contractor(s), subcontractor(s), and inspector(s). All sheets in the construction drawings shall be the same size (e.g. 24” by 36”).

11. The property owner shall install a sign stating the allowed days and hours for construction, which shall be posted in a conspicuous place along the front property line where it can be viewed by all contractors, subcontractors and the general public. The sign shall be 4 square feet and state the message below. Lettering shall be at least three inches, except for “No noise-generating construction on Sundays or national holidays” which shall be at least 1.5 inches.

12. An Encroachment Permit shall be obtained from the City Engineer for any work done within the City right-of-way.
13. The property owner shall contact the Lafayette Planning & Building Department at least 72 hours prior to requesting a final building inspection from the Contra Costa County Building Inspection Department. The property owner shall request an inspection of the project by Planning & Building Department staff to confirm that all conditions of approval have been met and that the project was constructed in accordance with approved plans. Planning & Building Department staff will release the “Hold” on the final building inspection when all conditions of approval have been met and a site inspection finds that the project was constructed in accordance with approved plans, including but not limited to siting, grading, retaining walls, tree protection measures, location of windows & doors, and building color.
McDonald’s Sign Permit – 3459 Mt. Diablo Blvd.

Response to Findings
1. **Architectural Compatibility** – Signs have been designed to fit within the new architectural design of the building facades.

2. **Simplicity** – The proposed signs contain only the McDonald’s arch logo and letters and identify this as a Playplace location.

3. **Identification** – The signs are designed to identify the name of the business only.

4. **Fewer Signs** – Signs identifying the name of the business are limited to one per elevation and the Playplace letters are only on one elevation.

5. **Shape, Size, and Orientation** – Signs are designed to work with the new architecture of the building facades and identify the business to motorists and pedestrians.

6. **Illumination and Colors** – The proposed signs use the McDonald’s color scheme (white, red, yellow) and all lighting sources are shielded.

7. **Landscaping** – All freestanding signs at the drive-thru are located within a landscaped area.

8. **Compatibility with Adjacent Uses** – Signs are compatible with adjacent commercial uses.
significant change and felt the recommended landscape mitigation measures will address the privacy concerns. Commission Chair Collins would very much like to see Tree #31 saved and supported the idea of a two car garage with a gravel parking space without an actual carport. He could approve the proposed colors and materials.

Commissioner Keppel reiterated his preference for an enclosed garage and could support loss of the tree. The other Commissioners supported saving the tree as well.

The Commission felt the recommended changes could be reviewed and approved by Planning staff.

Commissioner Cass moved to approve DR03-18 subject to the conditions of approval with the following modifications:

- Extension of the fence
- Relocation of the trash enclosure away from the drainage inlet
- Providing additional shrubbery on the southern neighbors’ property and in front of the master bedroom on the subject property to mitigate privacy impacts
- Saving Tree #31
- Modifying COA #17, adding at the end of the paragraph “including the south swale area.”

Commissioner Sim seconded the motion, which carried by unanimous consent. (4-0-0)

Commission Chair Collins advised of the 14 day appeal period.

Ms. Murphy recalled that the 3-car garage was a condition of approval set by the City Council and questioned whether the Design Review Commission could modify that condition. Commission Chair Collins asked that Planning staff research that issue prior to finalizing the current conditions of approval.

The Commission took a brief recess before continuing with the agenda.

D. **DR06-19 McDonald’s Corp. (Owner), C-1 Zoning**: Request for Design Review for the interior and exterior remodel of an existing McDonald’s restaurant located at 3459 Mt. Diablo Boulevard, APN 243-231-024.

**Recommendation**: Review the proposed project, conduct a public hearing, determine the project is exempt from CEQA, and adopt Design Review Commission Resolution 2019-18 approving the application, subject to conditions.

**Project Planner**: Melanie Erickson

Ms. Erickson reported the application is a request for design review for interior and exterior remodel of an existing McDonald’s Restaurant on Mt. Diablo Blvd., including:

- An increase to the building height from 22’7” to 24’2”
- Changes to the building façade in compliance with the American Disability Act (ADA) accessibility requirements.

It has been over a decade since McDonald’s previous remodel in 2005 and the applicant is requesting approval to make the following changes to the building:

- Increase in height
- Change in colors and material
The restaurant is located at the corner of Mt. Diablo Blvd. and Second Street in the Plaza District. Planning staff reviewed the project for consistency and found it in compliance with the City’s Downtown Design Guidelines (DDG) and Downtown Specific Plan (DSP), as well as with the General Plan and zoning regulations. The project will remedy accessibility deficiencies on site including changes to the existing bathrooms, repainting handicapped stalls and construction of a new ramp. The building height will stay within the required 35 feet, use natural colors and materials that will blend into the surrounding environment, and incorporate taller elements with the two brand walls and two drive-thru windows to help break up the massing. The south elevation does have some break up in massing; however, it faces the rear parking lot and is not as visible to the public compared to other elevations. It is also where the drive-thru begins.

No changes are proposed to the square footage of the building, number of parking stalls, circulation or landscape. Proposed signage besides a new menu and digital board has been submitted as a separate application, which will be brought to the Design Review Commission at a later date.

Planning staff found the changes proposed comply with the City’s DDG and DSP, as well as the General Plan and zoning regulations. The project was evaluated in accordance to CEQA and was determined to be exempt.

At the time of preparing the staff report, three referral comment letters were received. One public comment letter was received after publication of Planning staff’s report and has been emailed to the Commission and copies provided at this meeting. Ms. Erickson recommended the Design Review Commission review the project, conduct a public hearing and adopt the resolution of approval subject to conditions.

Mike Yao, of Core States Group, project designers, was present at the meeting on behalf of McDonald’s. The proposal is to remodel the existing McDonald’s restaurant to provide customers with a welcoming dining experience. The idea being to make the interior design more welcoming than it is currently. As stated, the proposal meets the guidelines of the City’s DDG and DSP, as well as the General Plan and zoning regulations. The proposed design intends to improve the outdated architecture of the building by creating clean and uniform lines by removing the mansard and squaring out the roof. The color palette is muted with light and dark taupe colors (not the corporate red, yellow and white) in order for the building to blend into its surroundings. The design incorporates a variety of high quality materials, including stone and wood, corrugated metal in charcoal colors to help break up the massing. Wainscoting is proposed around the base to unify all four facades and the proposed white canopy in the front and non-drive thru side will mark the entry, provide shade and create an urban quality to the exterior of the building. The proposed contemporary design is compatible with the surrounding buildings. The applicant also proposes add digital media boards in the existing drive-thru lanes to replace the existing menu boards. The boards are finished with dark metal framing. The additional ordering boards will speed up the ordering process and reduce waiting times and queuing.

Commissioner Cass asked about the color of brick shown on the colors and material board. Ms. Erickson advised it will be a taupe color.
Commissioner Sim asked about traffic flow in the pick-up area, and whether from the history of the usage at the site and current circulation configuration there have been any problems or issues to address. Mr. Yao responded that no problems in that regard were reported by the operators of the restaurant. Commissioner Sim noted there sometimes is a bit of a bottleneck. Mr. Yao felt that the additional ordering point will help with circulation back up.

Commission Chair Collins asked about location of darker corrugated metal. Mr. Yao referred to the color elevation and indicated they will be on the two drive-thru window surrounds.

Commissioner Sim asked if all of the downspouts are inside or out. Mr. Yao believed they are outside in the same locations. Commissioner Sim noted that the roof plan will be changed to flat roofs and suggested it may present an opportunity to clean up the façade a bit.

Commission Chair Collins asked about lighting requirements and whether dark sky fixtures are required. Ms. Allen stated that dark sky fixtures are not a requirement and choices would be at the pleasure of the Design Review Commission. Commission Chair Collins noted the light fixtures are shown as up and down sconces. Mr. Yao confirmed there are a few wall sconces that are down only but the ones on the white canopy are up and down. He advised there are three uplights on the non-drive thru side elevation and two on the front elevation.

Commission Chair Collins opened the hearing to public comment. Hearing none, Commission Chair Collins closed the public hearing and called for Commission comment and action.

Commissioner Sim asked about the height of the building. Mr. Yao said the proposed height is 24 feet, an increase of 2 feet. Commissioner Sim found the proposal to be an improvement but was uncertain about the proposed colors. He thought the new design would create more presence on the street. He noted while Lafayette is a semi-rural community the downtown is trying to create an urban design feel to encourage pedestrian oriented activities and give it more edge. He commented that the clear glass on the front edge is an important feature that the City likes to have. Commissioner Sim appreciated the modernization of the business but was not 100% on the proposed colors, although an improvement to the existing colors.

Commissioner Keppel liked the project and had not problems with the colors, which he felt were appropriate. He noted a request from a neighbor for a sign that says watch for pedestrians and don’t block the sidewalk, which Commissioner Keppel supported. He suggested the sign be made a condition of approval. Commissioner Keppel also requested the applicant consider downlighting everything, if possible.

Commissioner Cass also liked the proposed colors and had no problems with the proposal.

Commission Chair Collins thought the metallic trellis should be more brushed and less shiny and not as reflective. He had no issues with the proposed design or the proposed colors.

Mr. Yao was amenable to changing the metal to a more matte finish, and indicated that they could do all downlighting. Commissioner Sim commented that the uplighting does not work with the horizontal lines.
Commission Chair Collins further requested that the shiny aluminum trellis prefinished metal needs to be a more matte finish, similar to the charcoal gray metal.

Ms. Erickson asked for clarification on the requested location of the pedestrian sign. Commissioner Keppel suggested placing it halfway and not right at the edge. Commissioner Cass suggested the signage is only needed on the drive thru exit.

Commissioner Sim moved to approve DR06-19 subject to the conditions of approval and the comments of the Design Review Commission outlined above.

Commissioner Cass seconded the motion, which carried by unanimous consent. (4-0-0)

Commission Chair Collins advised of the 14-day appeal period.

E. HDP22-18 Leonard & Rosita Kwok (Owners) R-20 Zoning: Request for a Hillside Development Permit and a Grading Permit for the remodel and construction of a 2,309 SF two-story addition to an existing 3,144 SF two-story single-family residence with a maximum ridge height of ~20’ that will require 288 CY of earth movement (196 cut/92 fill) on a parcel within a Class II Ridgeline Setback at 1099 Via Media, APN 244-251-005.

Recommendation: Review the proposed project, conduct a public hearing and continue the matter to August 26, 2019, to allow the applicant to make modifications.

Project Planner: Melanie Erickson

Ms. Erickson reported the application is a request for a Hillside Development Permit, a Tree Permit and a Grading Permit for the remodel and construction of a 2,309-s.f. two-story addition to an existing 3,144-s.f. two-story single-family residence with a maximum ridge height of 22’6”, requiring 288 c.y. of earth movement (196 cut/92 fill) and the removal of three Coast live oaks on a parcel within a Class II ridgeline setback in the Hillside Overlay District.

The property is off Via Media but is accessed by the private road Via Pajaro. The property slopes downhill from the east elevation to the road below (Via Media). The existing residence is located at the top of the hill and within the Class II ridgeline setback. Since the residence is within the Class II ridgeline setback the final hearing body will be the Planning Commission with the Design Review Commission as the referral body.

Planning staff found the project generally complies with zoning, General Plan, and Residential Design Guidelines (RDG), except that it does not comply with the RDG in three ways:

- Colors and materials – While the proposed colors and materials provide visual interest they are bright and incompatible with the natural setting, which will draw attention to the residence and non-compliant with the RDG. The applicant proposes a light gray color for the majority of the residence with red fiber cement siding on sections of the residence. Planning staff found the color scheme highly contrasted and not earth tones or muted as required by the applicable development standards.

- Entryway feature – The applicant proposes to build a tall entryway feature that Planning staff finds out of scale with the adjacent residences. The entryway will also stand out because the applicant proposes stone for the entry and is the only portion of the house in that material. This will draw attention towards it.
Meeting Date: July 22, 2019

Staff: Melanie Erickson, Planning Technician

Subject: DR06-19 McDonalds (Owner), C-1 Zoning: Request for Design Review for interior and exterior remodel including increase to the building height from 22’-7” to 24’-2”, changes to the building’s façade and compliance with the American Disability Act (ADA) accessibility requirements of an existing McDonald’s Restaurant located at 3459 Mt. Diablo Boulevard, APN: 243-231-024.

Statutory Deadline: September 1, 2019

Summary
The proposal is to redesign the exterior and interior of an existing McDonald’s restaurant. Modifications include changing the roof and height of the building from 22’-7” to 24’-2”. The applicant is also proposing to make changes to enhance pedestrian access by conforming to American Disability Act (ADA) requirements. Extensive interior changes are proposed that will affect 47% if the total building area. The proposed changes will result in a building compliant with the Downtown Specific Plan and Downtown Design Guidelines.

Background
In 2005 the applicant requested a Design Review Permit for improvements to the building, including changing the colors and materials (DR12-05). The application was approved by the Design Review Commission leading to McDonald’s current look. The current request is to update the façade again to create a more modern look.

LOCATION & SITE CONDITIONS

<table>
<thead>
<tr>
<th>Location</th>
<th>3459 Mt. Diablo Blvd.</th>
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</thead>
<tbody>
<tr>
<td>Lot Area</td>
<td>.74 acres (30,928 sq. ft.)</td>
</tr>
<tr>
<td>Zoning &amp; Overlay Districts</td>
<td>General Commercial District 1 C-1</td>
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<tr>
<td>General Plan Designation</td>
<td>Downtown Core</td>
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<tr>
<td>Existing Use</td>
<td>Fast-Food Restaurant with drive-thru</td>
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</tbody>
</table>
TRIGGERS FOR REVIEW

<table>
<thead>
<tr>
<th>Trigger</th>
<th>Yes</th>
<th>No</th>
<th>Trigger</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Within a protected ridgeline setback?</td>
<td></td>
<td></td>
<td>Grading &gt; 50 cu. yards?</td>
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<tr>
<td>Within 100-ft. of a ridgeline setback?</td>
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<td>DR required as condition of approval?</td>
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<tr>
<td>In the Hillside Overlay District?</td>
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<td>In a commercial or MFR zone?</td>
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<tr>
<td>Over 17-ft. in height to ridge?</td>
<td></td>
<td></td>
<td>Variance requested?</td>
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<tr>
<td>SFR Development &gt; 6,000 sq. ft.?</td>
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<td></td>
<td>Tree Permit Requested?</td>
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<tr>
<td>Creek Setback Determination?</td>
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<td>Subject to Public Art Ordinance?</td>
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</table>

Site Conditions and Location
The property is located at the corner of Mt. Diablo Boulevard and Second Street in the C-1 zoning district. The parcel is also within the Plaza District as outlined in the Downtown Specific Plan (DSP). The business can be accessed off Mt. Diablo Blvd. and Golden Gate Way, with an additional egress, for the drive-through on Mt. Diablo Blvd. The building is located at the south end of the Plaza District, adjacent to the East End District, making it one of the identifiable transition buildings between the Plaza and East End districts. The parking lot is along the west elevation and continues to the south elevation, creating an open ended parking lot with ingress and egress off Mt. Diablo Blvd. and Golden Gate Way. No changes are proposed to the existing circulation to the site. Existing vegetation runs along the west and east elevations providing some screening between the restaurant and adjacent neighbors. There are also a few trees at the north and south elevation too. No changes to the landscape are proposed at this time.

Proposal
After almost a decade from the last remodel the applicant is requesting to update the existing McDonald’s building by making interior and exterior changes. No changes will be made to the existing building footprint, outdoor seating, number of parking stalls, circulation, or landscaping. Some of the interior remodel work includes removing walls, counters, menu boards and the existing décor and furniture. Changes to the existing bathrooms will also be made to meet American Disability Act (ADA) compliance. Exterior work includes changing the architectural style and modernizing the building by removing the hip roofs to create a flat roof and using different colors and materials to emphasize clean lines and simple geometric shapes. The height of the building is proposed to change from 22’-7” to 24’-2”. A new digital and menu board as well as new canopies across the north and west elevation are also proposed.

Staff Analysis
Staff has reviewed the project for consistency with the City’s Downtown Design Guidelines (DDGs) and Downtown Specific Plan (DSP) as well as the General Plan, land use and zoning regulations as discussed in detail below:
**General Plan and Zoning**

The General Plan Designation for the property is Plaza and the Zoning is General Commercial District 1, which allows fast food with drive-thru. The project will result in modernizing and updating an existing McDonald’s restaurant which is consistent with the uses prescribed for the subject property.

The proposal is to update and modernize an existing McDonald’s restaurant. Upgrades include remedying accessibility deficiencies on-site including, changes to the existing bathrooms, repainting handicap parking stalls and constructing a new concrete ramp. Integrating “ADA” improvements complies with the Downtown Design Guidelines. The height of the building will also slightly increase by a little over 2’ to a new height of 24’-2’ which is still under the max of 35’ allowed for General Commercial District 1. The proposal also complies with Downtown Design Guidelines by incorporating taller elements, at a corner building, with the two “brand walls” at the north and west elevations and the two drive-thru windows. The different materials proposed for the brand walls and drive-thru windows also help break up the massing of the north, west, and east elevations by creating variation in colors and texture. The south elevation has minimal break up to the massing; however, it faces the rear parking lot and is not highly visible from public vantage points compared to the other elevations. It is also where the drive-thru begins, limiting the amount of projections that can be on that side. The applicant proposes to use simple colors and materials that are natural looking, complying with Downtown Design Guidelines by not following a formulaic corporate coloration. No changes to the existing landscape are proposed. None of the changes propose will adversely impact the policies and goals of the Plaza District of the City’s Downtown Specific Plan. The project will comply with development standards and incorporates façade modifications that are compliant with the City’s Downtown Design Guidelines.

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Fig. 1 Site Plan
**Colors and Materials**
The applicant is proposing to update the exterior façade of the building through the use of new colors and materials and signage. The applicant proposes to use two stucco colors for the main building, “Ashley Grey” which is a light taupe color and “Fairview Taupe” which is a darker taupe color. Tile, “Ewood R9 Black” that provides a dark natural wood look will be used for the brand wall accent at the front of the building, facing Mt. Diablo Blvd. and over the main entrance on the west elevation. Corrugated metal in a charcoal color will be used for the two drive-thru windows which will help break up the massing of the east elevation. A new aluminum canopy in white, along the middle of the west elevation will help break up the massing and provide covering to pedestrians.

![Fig. 2: Proposed colors and materials.](image)

**Signage**
The applicant proposes installing a new digital menu board and pre-sell board at the south elevation with this application. The two new ordering boards will be along the south elevation where visibility is minimal. The boards will also use dark colors for the framing which will be compatible with the warm colors proposed for the building. All other proposed signage for this building has been submitted as a separate application S05-19 and will be brought forth to the Design Review Commission at a later date.

**Findings**
In order to approve a project the Commission must be able to make the required findings ensuring the development is consistent with the applicable land use regulations. Staff finds the project does comply with the DSP and DDGs. A detailed response to the findings can be found in the draft Design Review Commission Resolution 2019-18.
Environmental Review
The project was evaluated in accordance with the California Environmental Quality Act ("CEQA") and determined to be categorically exempt under Class 2: Replacement or Reconstruction - Section 15302, as the project consists of an interior and exterior remodel to an existing McDonald's restaurant.

Public Comment, Outreach, and Notice
Property owners within a 300-foot radius of the subject property were mailed a notice of public hearing, and the immediate area was posted at least ten days prior to the scheduled public hearing. No public comment has been received for inclusion of this report.

Agency Response
The project plans were referred to the Central Contra Costa Sanitary District ("CCCSD"), City Engineer, Contra Costa County Building Inspection Department ("CCCBID") and Contra Costa County Fire Protection District ("CCCFPD"). At the time of preparation of this staff report four comments were received and are attached to this report as Attachment D.

Staff recommends the Commission review the application, conduct a public hearing, and adopt Design Review Commission Resolution 2019-18, finding the project exempt from CEQA and approving the project, subject to conditions.

Attachments
A. Draft DRC Resolution 2019-18 and Exhibit “A” Conditions of Approval
B. Maps and Aerial Photos
C. Applicant project statement and findings
D. Referral Agency Comments
E. Digital Ordering Board Plans
F. Development Plans July 21, 2019
November 17, 1993

Robin Blackman
McDonald's Corp.
2480 N. First St. 220
San Jose, CA 95131

On November 16, 1993 the Lafayette Design Review Committee considered your application described below:

S 15-93 AD ART SIGNS, INC., GEORGE BRITT (APPLICANT), MCDONALD'S CORPORATION, ROBIN BLACKMAN (OWNER), C-1:
Request for a sign application approval of 8 free-standing signs, and variances to allow more than one free-standing sign and to increase the maximum amount of signage from 100 sq. ft. to 182 sq. ft., located at 3459 Mt. Diablo Blvd.

As you know, the Design Review Committee approved your sign application at their meeting on November 16, 1993, based on the required findings and subject to the attached conditions. The sign application approval is also subject to the approval of your Land Use Application for the fast food restaurant.

The decision of the Design Review Committee may be appealed within 14 calendar days from the date of decision to the City Council. Please contact me if you have questions concerning this matter.

Thank you.

Sincerely,

Betsy Van Popering
Associate Planner

cc: File
PDC
S 15-93

1) Approved based on plans in the City Offices and dated received November 12, 1993, except as might be modified by these conditions.

2) The sign "H" located on the eastern elevation of the building is not approved.

3) Sign "F" will not have Drive Thru on it.

4) Reconsider the flag pole location so that it does not conflict with the bicycle storage.
6-2554 Freestanding signs.
A freestanding sign allowable under Section 6-2523(c) must meet the following requirements:
(a) There may be only one freestanding sign per street frontage.
(b) The height of the sign may not exceed eight feet from the ground.
(c) The sign may not exceed 25 square feet in area per side unless otherwise permitted in this chapter.
(d) A freestanding sign is only allowed when it is reasonably necessary. For example, a freestanding sign may be reasonably necessary when:
   (1) The building in which the business is conducted is set back from the street or obscured from view by an adjacent structure or vegetation in such a manner that adequate identification cannot be obtained from signs attached to the building; or
   (2) The architectural style, materials or elements of construction are such that a sign attached to the building would be in conflict with the design or character of the building.
(e) A freestanding sign may be used only to announce the name of the business or site, the address, and the principal classification of goods sold or service offered on the premises.
(f) The sign must be placed in a landscaped area or planter and the landscaping must be continuously maintained.
(g) A freestanding sign requires design review approval before a permit may be granted.
(Ord. 565 § 2, 2007; Ord. 434 § 1 (part), 1996)

6-2555 Compliance with applicable codes.
Each sign shall be constructed and maintained in accordance with applicable provisions of the Uniform Building Code and Electrical Code.
(Ord. 565 § 2, 2007; Ord. 434 § 1 (part), 1996)

Article 5. Requirements and Limitation on Special Uses
6-2560 Maximum area for business signs.
(a) Except as otherwise provided in this article, for a particular use, the maximum total sign allowance for a ground floor principal business frontage is indicated in the table below and is based upon application of the principal business frontage rules (see subsection (b) below):

<table>
<thead>
<tr>
<th>Principal Business Frontage (Linear Feet)</th>
<th>Total Sign Allowance (Square Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 or fewer</td>
<td>20</td>
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<tr>
<td>24.1 to 26</td>
<td>23</td>
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<tr>
<td>26.1 to 28</td>
<td>29</td>
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<tr>
<td>28.1 to 30</td>
<td>34</td>
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<tr>
<td>30.1 to 32</td>
<td>39</td>
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<tr>
<td>32.1 to 34</td>
<td>44</td>
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<tr>
<td>34.1 to 36</td>
<td>49</td>
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<tr>
<td>36.1 to 38</td>
<td>53</td>
</tr>
</tbody>
</table>

(Ord. 565 § 2, 2007; Ord. 434 § 1 (part), 1996)
(b) If a business has more than one side which qualifies as a principal frontage, the following rules apply:

1. When the principal business frontages are on opposite sides of the building, the total sign area calculated for each frontage may be placed on that frontage.

2. When the principal business frontages are on adjacent sides of the building, only one frontage may be used for a principal frontage calculation, but the sign allowance may be distributed in any manner on the two sides.

3. If three or more walls of a building qualify as principal business frontages, both of the above rules apply. However, in distributing the total sign allowance, the sign area on any two adjacent sides may not exceed the area permitted on the largest principal business frontage use.

4. A business may distribute to the frontage along the street which provides its official Post Office address, the signage which would be permitted on its largest principal business frontage.

(c) A business whose principal frontage is not on the ground floor and which has an independent exterior customer entrance is allowed a maximum of 20 square feet of signage.

(Ord. 565 § 2, 2007; Ord. 434 § 1 (part), 1996)

6-2561 Sign Copy for business signs.

The copy of a business sign is limited to: (1) the name of the business, (2) the address, and (3) the principal classification of goods sold or services offered.

(Ord. 565 § 2, 2007; Ord. 434 § 1 (part), 1996)

6-2562 Sign for office, mixed use buildings and mixed use office complexes.

(a) The regulations in this section apply to each office building, mixed use building or mixed use office complex.
(b) An office or mixed use building or mixed use complex is limited to the following allowable signs:

1. One master identification sign, not exceeding 25 square feet in area, at each adjacent street containing the name and address of the building or complex; and
2. A directory sign which identifies each tenant of the building or complex. The directory sign may not exceed 25 square feet in area; and
3. Individual office signs not exceeding two square feet per tenant; and
4. A ground floor business having direct customer entry from a public open space may have a sign which meets the specifications in Section 6-2560; and
5. A business whose principal frontage is not on the ground floor and which has an independent exterior customer entrance, may have a sign up to a maximum of 20 square feet.

(Ord. 565 § 2, 2007; Ord. 434 § 1 (part), 1996)

6-2563 Temporary commercial signs.

An on-premises temporary commercial sign is allowed for a business established at a new location after July 10, 1996 without a sign permit provided it complies with Section 6-2561 and:

(a) The aggregate sign area of all signs does not exceed thirty (30) square feet; and
(b) Each allowed sign may remain in place only while the new business is going through the necessary administrative procedure to obtain and install its permanent business sign. In no event shall a temporary commercial sign be in place for longer than ninety (90) days; and
(c) No more than one sign is allowed on each principal frontage.

(Ord. 565 § 2, 2007; Ord. 434 § 1 (part), 1996)

6-2564 Apartment and rooming house signs.

The total sign allowance for the identification of an apartment building or a rooming house is computed on the basis of one square foot for each rentable unit. The maximum area allowed is 12 square feet.

(Ord. 565 § 2, 2007; Ord. 434 § 1 (part), 1996)

6-2565 Residential Signs.

This section shall apply to signs on property that contains a residential use or is located in a residentially zoned district.

(a) A sign, including an exempt sign, shall not:

1. Be located on a roof or, with the exception of a flag (Section 6-2502(13)), extend above the ground floor of the residence;
2. Be internally illuminated, or externally illuminated with a spot light or other source of light specifically designed for the sign with the exception of a mailbox or address identification sign (Section 6-2502(23)) and a neighborhood identification sign (Sections 6-2520(31); 6-2567);
3. Exceed six (6) feet in height, with the exception of a flag (Sections 6-2502(13) and 6-2521(a)).
(b) The total aggregate area of all signs, including exempt signs, shall not exceed eighty (80) square feet per parcel, of which only thirty-two (32) square feet may be permanent.
(c) In addition to the aggregate area allowed under (b), each parcel may contain an additional one hundred eighty (180) square feet of temporary noncommercial signage for a total of forty-five (45) days or less in a calendar
Hi Melanie,

My only comment at this time is that plans and details for the renovation and signage change will need to be prepared by a registered engineer.

Thom Huggett, PE, SE  
Principal Structural Engineer  
Lamorinda Building Inspection Office  
3685 Mt. Diablo Blvd., Suite 120  
Lafayette, CA  94549  
(925) 299-0113  
(925) 299-0134 fax  
thom.huggett@dcd.cccounty.us

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From: Erickson, Melanie <MErickson@ci.lafayette.ca.us>  
Sent: Friday, October 04, 2019 9:41 AM  
To: Thom Huggett <Thom.Huggett@dcd.cccounty.us>  
Subject: S05-19 Sign Application for McDonalds

Good morning Thom,  
Please see the attached plans S05-19 which is a request in change of signage for McDonalds. If you could provide me any comments you have by next Tuesday I would appreciate it. Apologies for the short notice.

Sincerely,  
Melanie Erickson  
Planning Technician  
City of Lafayette  
Direct: (925) 299-3207 | Main: (925) 284-1976  
www.lovelafayette.org

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